

John S. Rock

JOHN S. ROCK

J O H N - S - R O C K

The Well known saying attributed to Daniel Webster that it is the peculiar privilege of New Hampshire to give birth to great men but of Massachusetts to give them distinction is susceptible of wider application both to men and places. For though from a sense of loyalty as well as of filial regard, Webster meant only to share a compliment between his native, and his adopted state, it is still true that Massachusetts by virtue of having Boston within her borders has attracted and dowered with the halo of her genius more men from other quarters than any other state of like dimensions. Like the glow of large suburban arc-lights for the bat and o the other night population of the wing, the enlarged views and liberalizing influence of Boston toward all subjects touching the betterment of man, have ever drawn hither the choice minds of oher sections. Washington Allston and the poet Simms as wellas the Grimke sisters thus came here from South Carolina and Channing and Webster and Garrison all gathered here from other places But probably it is for her colored men of distinction that Boston has drawn so largely on other places. Among these the proportion of adopted to native born has always excelled he ratio in other classes. The names of David Walker and Lunsford Lane of long ago, and of William Wells Brown, Lewis Hayden and John S. Rock at a later period, and of James Trotter, Charles Mitchell, William Depree and others still living sufficiently attest this.

But if is to the career of John S. Rock that we would particularly call attention. This able scholar was born in Salem N. Jersey a small town some 14 miles southeast of Wilmington, Del., in 1825 and there remained till reaching his m ajority. From early youth he showed such a decided preference for books as to forego the pastimes and amusements common to children of tender years. His parents observing his predilection for books made every effort to encourage his taste and talent in that direction. They kept him at school till after his eighteenth year, hen he began himself to tesch, and continued to teach between the several years of 1844 ad 1849, studying in the meanwhile in the medical libraries of Doctors Sharp and Gibbon, two local physicians of his town. He not only privately studied medicine and taught in the public schools at this time, but gave private lessons also. In fact it was the close application to study at this period which brought on the impairment of his health from which it can hardly be said that he ever recovered. Finding it impossible to get into a medical school to put on he finishing touches necessary for him to become a physician, Rock now turned his attention to the study of dentistry in the office of alcal dentist, Dr. Harbery, and with his usual avidity for books had soon completed his course of study. At the same time, our young physician was reading no less profound-

ly in the history of his country and race for we find him about this time one of the oratorical attractions in the 12th Annual meeting of the Pennsylvania antislavery society at Morristown in October of 1849. He was then still a resident of Salem New Jersey.

But desiring a wider field for the practice of his profession, the young dentist went to Philadelphia where he opened his office in 1850. There his skill as a manufacturer of artificial teeth soon brought him to the notice of leaders in his profession, and his success was so great that in 1851 he was awarded a silver medal for his achievement in his art. It was about this time that he took charge of the Apprentices' High School which was then conducted at night for the benefit of the colored youths of Philadelphia, and thus found opportunity and means to gratify his long cherished desire for further study of medicine at the American Medical College, from which he was graduated in 1852. After having finished his course in medicine, Dr. Rock determined to settle in Boston where he thought there more liberal atmosphere would aid him in his chosen profession. While yet in Philadelphia Dr. Rock had won much consideration from the fraternity of his calling and brought on leaving there letters of commendation from which the following extracts are taken. Professor Townsend of the medical school attended, wrote: "Dr. Rock is a graduate of a medical school in this city, and is favorably known, and much respected by the profession. Having seen him operate, it gives me great pleasure to bear my testimony to his superior abilities." Prof. J. F. B. Flagg said: "I have seen his operations and have been much pleased with them. As a scientific man, I shall miss the intercourse which I have so long enjoyed in his acquaintance." Thus armed, Dr. Rock opened an office in Boston in 1853 where he began the practice of both dentistry and medicine, attaining finally much success in each.

But John S. Rock was otherwise accomplished than in medicine; he was clever both as a scholar and a speaker. His addresses became noted in antislavery days for the care and thoughtfulness with which they were wrought. He had frequently taken part in the Pennsylvania antislavery meetings and had already gained some distinction by a lecture on Temperance which brought him a silver medal while in Philadelphia; and now he was further increasing his reputation by other lectures such as "The Light and Shade of the African Character", and the "Unity of the Human Races" which during '55 and '56 he was delivering at various points in New England, and was every where highly complimented by the newspapers on the ability and scholarly attainment shown in handling his subject. Says the Middlesex Journal after hearing his lecture on the "Races and Slavery" in the spring of 1855: "He has rare talents, is a handsome speaker, and his lectures evince a fine education, superior scholarship

"and much careful research." Commenting on the above, the National Antislavery Standard adds: "It is one of the most cheering signs of the times that so many colored men are coming forward and taking, deservedly, a high rank as scholars and orators. The antislavery movement has done much to diminish the power of prejudice and thus open the way to success for men of the proscribed class." Such indeed was the popularity of Mr. Rock's lecture on "The unity of the human races" that he was invited to deliver it before the Massachusetts Legislature which he did to a crowded audience on the Lower Chamber of the State Capitol on the 24th of April, 1856. The lecture took place in the evening with State Senator Taft of Worcester presiding. Mr. Rock spoke for an hour and a quarter with scarcely a reference to his notes; and the account of the occasion says the lecture manifested thorough investigation and study of the subject, and great familiarity with the different writers upon it." The Boston Bee also commented thus favorably on Mr. Rock as a lecturer about this time: "As a lecturer he ranks among the first. He is noted for his power of consideration, close reassuring and great research. His oratory owes much of its impressiveness to his admirable delivery. His language is pure and chaste and his periods are easy and fluent. His enunciation is clear and distinct; and his voice is varied, sweet and musical, rolling at times in most bewitching intonations. His gestures are unstudied, graceful and often dramatic. And he has the happy faculty not only of pleasing, but of enchanting a scientific or popular audience."

In 1857 Dr. Rock was chosen as orator of the day by the Philadelphia colored masons when they dedicated their new Hall, and he returned thither and acquitted himself with great distinction. But the doctor whose constitution was always frail was now compelled to forego the practice of medicine by reason of failing health. In fact his health became so badly impaired that he was not only unable to follow his profession but had to give up lecturing also. As a last resort he determined to go abroad for surgical treatment in Paris where the art of surgery was then further advanced than at any other known centre. Mr. Rock was, therefore tendered a farewell reception by his fellow citizens at the 12th Baptist Church, and was all in readiness for the journey when on applying to our state department for a passport, he was told by Lewis Cass, at that time President Buchanan's Secretary of State, that "a passport had never been granted to a colored man since the foundation of the government." This refusal from the State Department by no means changed his purpose. He took part as far as he was able in the annual anti-slavery gatherings in early 1858, making an able speech at the Crispus Attucks celebration in March of that year in reply to some remarks of Theodore Parker. But a few weeks later on the 29th of May the Antislavery Standard announced: "Dr. John S. Rock was

" among the passengers on the Vanderbuilt which left this port for
" Havre on Saturday last. He is a colored man of fine abilities
" and we trust the voyage will exert a favorable influence on his
" health now much impaired." He remained in Paris eight months,
returning to Boston about the beginning of 1859, as the following
letter in the Liberator on the 18th of February of that year will
show:

Dear Garrison,)

Through your kindness permit me to say to my
friends that after several months of severe surgical treat-
ment in Paris, my health is so much improved that I am able
to resume the practice of my profession. My case was so com-
plicated that the peculiar operation I went to undergo could
Not be performed. But after consultation with professors
Velpean and Nelaton, I was operated on by the latter, and con-
tinued under his treatment until my departure for the United
States. etc

John S. Rock

34 Garden St. Boston, Feb. 10, 1859

But though a wrecked constitution denied him the abili-
ty to pursue his medical callings, it could not deprive him of
the solace of his books. In these amid all his afflictions he
continued to find that comfort of mind which Cicero had in mind
when he said: " For other occupations are not suited to every
" time, nor to every age or place; but these studies are the food
" of the youth, the delight of all age; the ornament of prosperity
" the refuge and comfort of adversity; a delight at home, and in
" travel, and in the country." While, herefore, awaiting the
healing effect of physician's art there in Paris, our valitudi-
narian applied him to perfecting his mastery of the French
language. He read widely and conversed at every opportunity with
the parisians. As a result of this attainment in French, we have
several translations from that language which he made for the
Liberator from time to time after his return. But his great
lecture on the " Character and Writings of Madame DeStael", which
he, and a second appearance, delivered in the Hall of the Massa-
chusetts House of Representatives on the 24th of March 1860, was
the best result of his studies abroad. Many flattering comments
of the press of that day on this lecture have come down to us; but
probably this from the German paper, Der Pioneer, which was re-
produced in the Liberator on the 20th of April is the best by
reason of the editor's ability to appreciate the lecturer's sub-
ject:

Mr. Rock was persuaded by his French physician to give up dentistry altogether and as his frail constitution was unable to endure the terrible rigidity of the New England climate, as was then necessary in the practice of medicine, he now laid aside medicine altogether for the study and practice of Law. He was admitted to practice in all the State Courts on the 14th of September 1861, on motion of T. K. Lothrop, Esq., before Judge Russell, and the notice of

" John S. Rock, Esq.,
Attorney and Counsellor at law
No. 6 Tremont St., Boston,

duly appeared in the Liberator. The young lawyer's progress was as rapid as the disturbed conditions of those Civil War times would admit; he was gifted as a speaker, and possessed the faculty of a close reasoner such as the law demands. But it was impossible for a public man of John S. Rock's attainments not to be drawn into the antislavery movement of that day. Indeed he had already begun to take part with the abolitionists before going to France, having been one of their principal speakers at the West Indian Emancipation celebration at Abington in 1857. During the period of his all too short a life, which is now under consideration, Mr. Rock was very much on the lecture platform. He went to Washington in 1861 to deliver his lecture " A plea for my race", etc., and the rough treatment meted out to him there, such as the shying of brick-bats at his head furnished a subject for a return-lecture at home. His trip abroad suggested to him " The Voyage of an Outlaw", under which title he told of " all he felt and he saw" while away. He gave the Massachusetts Antislavery Society his views on the war at their annual meeting in '61; and makes an eloquent speech both at Framingham and Abington in '62. We find him also one of the speakers representing the colored people in their petition to the legislature for soldiers privilege. It is from the speeches made by Mr. Rock during this period that we have chosen our selections for this work. They furnish not only the best examples of his matured mind, but almost the last public efforts of his lamentably short career.

But by far the most important incident in the brief existence of John S. Rock was his admission to practice before the United States Supreme Court. This event gets its significance not so much from the value of the act itself as from the time of its occurrence and the circumstances attending it. A thing which would hardly get mention in the press today, was then thought worthy of international comment and discussion. Soon after becoming a counsellor at law in Massachusetts, Mr. Rock conceived the idea of getting admitted to practice before the U. S. Supreme Court and such of the national subordinate Courts as he should desire. To this end he entered into communication

with Senator Charles Sumner as to the method of procedure and the probability of success. The thought of having been denied a passport by his country so rankled in Rock's breast that being a citizen of one State, and possessed of the proper legal requisites, he determined to demand his constitutional rights and privileges from the author of the Dred Scott decision who still presided over the Supreme Court. But Senator Sumner, though suffering men himself from a bodily affliction received from the slave-power which finally caused his death, was too apprehensive for the attempt, for not only was Chief Justice Toney still on the bench, but the majority of the court were still those who had agreed with him in the Dred Scott decision. But the aged Chief Justice Toney died early in October 1854, and in his place Salmon P. Chase of Ohio, Lincoln's former great secretary of the Treasury was nominated and immediately confirmed Chief Justice of the U. S. Supreme Court on the 5th of December the same year. Now by usage it had become the prerogative of the Chief Justice alone to grant admission to counsellors desiring to practice before the Supreme Court, and it was not thought that Mr. Justice Chase would be likely to change the method of procedure. Mr. Rock, who was all along keeping close eyes on the trend of things at Washington again put himself into communication with Senator Sumner with reference to the Court matter in a letter which ran in part thus: " We now have a great and good man for our Chief Justice " and with him I think my color will not be a bar to my admission " Quite a little and informal correspondence sprang up between Mr. Sumner and the Chief Justice on the case, in which the former sent Mr. Rock's letter and that from Gov. Andrew indorsing him.

J.S.R.

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Senate Chambers, 21st, Dec., 1854

"My Dear Chase,- Please read the inclosed letter, and let me know what I shall go with regard to it.

Mr. Rock is an estimable lawyer, who, as you will see, is daily recommended by Governor Andrew and others in the public service. ~~Is~~ He is one of several colored ~~ca~~ lawyers in Massachusetts, who practise in all our courts, and are always received with courtesy.

before I came into the Senate, now several years ago, I was counsel in a case before our Massachusetts Supreme Court, where one of these colored lawyers was my associate, and I remember well the very great kindness and attention with which he was received by Chief Justice Shaw and all the bench.

I mention these things that you may see something of Mr. Rock's title to admission to the Supreme Court of the United States.

I know not how far the Dred Scott decision may stand in the way.

Of course, the admission of a colored lawyer to the bar of the Supreme Court would make it difficult for any restriction on account of color to be maintained anywhere. Street cars would be open afterwards.

" Ever yours,

" Charles Sumner"

The following note, written in pencil, and sent to Mr. Sumner at his seat in the Senate, was the prompt answer:-

"Supreme Court Room, Dec. 21, 1854.

"Dear Sumner, + I will confer with the Judges on Saturday, which is consultation day. It is not likely that any, or any serious, objection will be made.

"Yours faithfully,

"S. P. Chase."

Not hearing from the Chief Justice, Mr. Sumner sent the following reminder:-

" In re John S. Rock, Counsellor at Law, Massachusetts.
" What say you?
" Senate Chamber, Thursday, " C. S."
15th January, 1855."

This was returned with the following reply, written in pencil on the same paper:-

" Nothing at present,- except not forgotten

" S. P. C."

J. S. R.-

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Another note, written also in pencil, opened the door.

" January 23, 1865.

" Dear Sumner,- You can make your motion for Mr. Rock's admission
" at any time which suits your convenience

" Yours ever,

" S. P. Chase."

Mr Rock who was waiting in Boston, appeared February 1st and was at once presented by Mr. Sumner. The few formal words which passed on this occasion are not without interest.

As soon as the judges had taken their seats, Mr. Sumner rose, and, with Mr. Rock standing by his side, said:-

MAY IT PLEASE THE COURT,-

I ask leave to present John S. Rock, Esq., a Counsellor at Law of the Supreme Court of Massachusetts, and now move that he be admitted as a Counsellor of this Court.

The Chief Justice bowed, and said:-

" Let him come forward and take the oath."

The oath was then administered by Mr. Middleton, Clerk of the Court. At the same time, on motion of Mr. Sumner, Francis V. Balch, Esq., of Boston, his private secretary, was also admitted.

This incident, marking a stage in the battle for Equal Rights, was extensively noticed at home and abroad. It occurred on the day after the final passage in the House of Representatives of the Constitutional Amendment abolishing Slavery, and he correspondent of the Boston Journal remarked the association of the two events.

Mr. Rock who had been waiting patiently at his home in Boston, therefore repaired to Washington and joined Mr. Sumner so as to be on hand when the Court came in on Monday Feb. 1st, 1865. At three minutes of 11 o'clock in the morning Sen. Charles Sumner entered the Courtroom followed by the applicant for admission and sat down within in he rail. At eleven the procession of the gowned judges entered the room with Chief Justice Chase at their head. The spectators and lawyers in attendance rose respectfully on their coming. The associate justices seated themselves nearly at once, as is their courteous custom of waiting upon each other's movements. The Chief Justice standing to the last bowed with affable dignity to the Bar and then took his central seat with great presence. As soon as they were seated Senator Sumner rose, and standing on the very spot in the old Senate Chamber (now the Supreme Court's Room) where he had been stricken down years before by the slave-power for demanding justice for the colored races, he said: " May it please the Court, I have the honor to present John S. Rock, Esq., a counsellor of the Supreme Court of Massachusetts and ask that he may be admitted to practice in the Supreme Court of the United States." The Chief Justice, bowing gravely and gracefully, replied " Let Mr. Rock advance to the clerk's desk and take the oath." Francis V. Balch, Mr. Sumner's private secretary was admitted also on motion by Mr. Sumner at his time and both applicants proceeded to the clerk's desk when the oath was administered. The proceedings were especially bitter to Clerk Middleton who was a protege and an appointee of the late Judge Toney, and it was noticed that he kept his face averted from Mr. Rock, looking only towards Mr. Balch while administering the oath to them. A goodly number of onlookers took in the scene. Hon. George S. Boutwell of Massachusetts stood by, drinking in the spectacle with blazing eyes and Senator Wilson of Iowa was by his side measuring the big fact with ready welcome. A New York representative who had on the previous day voted against the 13th Amendment happened to be present also, and " giggled at the spectacle which he had not sense to appreciate nor he heart to feel." A few lawyers of the old regime looked on, stunned somewhat but yielded to destiny. These and three journalists and two sight-seers constituted the spectators of this epoch making scene.

Though the press of that time was much taken up with the movements of the South, several of the leading newspapers took note of this affair. The Boston Journal's correspondent telegraphed his paper: " The slave power which received its constitutional death-blow yesterday in Congress writhes this morning on account of the admission of a colored lawyer, John S. Rock of Boston, as a member of the bar of the Supreme Court of the United States x x x x " The rage depicted in the countenances of some of the old *lawyers* present at the invasion of their citidel beggars description".

The New York Tribune half-humorously apostrophized the whole scene as the grand death and burial of the Dred Scott decision, Sen. Sumner and Mr. Rock were made the pall-bearers; the corpse, the Dred Scott decision, and the Supreme Court Room, the Potter's field. By this motion of Mr. Sumner, the Tribune sent on to say: "The grave to bury the Dred Scott decision was in that one sentence dug, and it yawned there, wide open under the very eyes of some of the judges who had participated in the judicial crime against democracy and humanity. The assenting nod of the great head of the Chief Justice tumbled in the corse and filled up the pit, and the black counsellor of the Supreme Court got on it and stamped it down and smothered the earth for his walk to the rolls of the court." Nor did the incident pass without notice from abroad. Richard Cobden, the great English statesman wrote Mr. Sumner: "I feel it a pleasant duty to give you my best congratulations on the recent proceedings within and without your Halls of Congress. The vote on the Amendment of the Constitution was a memorable and glorious event in your history. Another incident - that of your introduction of a colored man to the Supreme Court - was hardly less interesting. In all these proceedings at Washington you ought to be allowed to indulge the feelings of a triumphant general. You served as volunteer in the forlorn hope when the battle of Emancipation seemed a hopeless struggle. Your position within the Halls of Congress was very different from that of the agitators out of doors, meritorious as were their labors. I have served in both capacities and know the difference between addressing an audience of partisans at a public meeting and a hostile parliamentary assembly. I heartily congratulate you." Such was the first step of the Supreme Court in the undoing of Toneyism and the recognitions of the citizenship of the colored race.

Mr. Rock was not only the first lawyer of the colored race to be recognized by the Supreme Court but was also the first of his race to be received upon the floor of the House of Representatives while it was in session. This latter honor was accorded the young attorney by Congressman John Dennison Baldwin of Massachusetts, the old-time editor of the "Commonwealth" and of the "Worcester Spy", who escorted Mr. Rock to a seat in the Representatives Hall, where he was cordially congratulated by the leading men who at that time was shaping the destiny of the nation; for even to them it seemed remarkable that a colored man should know enough law to practice before the Supreme Court. The rank and file of the members simply regarded the visitor as a prodigy in law. And still they gazed, and still their wonder grew, that one small head could carry all he knew. Mr. Rock also took part in the colored men's convention, which Frederick Douglass, George T. Downing and others had called at Washington for the purpose of formulating and presenting an address to President Lincoln.

But the slave party, still well represented in Washington and looking on at all this, was determined to have its innings, and to this end abided its time. John S. Rock, Esq. who had remained some days in the Capital thus on social and public business came finally to go home, and purchased his ticket for Boston. But had scarcely reached the train before he was stopped and taken back on the charge of a Negro's trying to leave the city without a pass! The attorney with his certificate to practice before the Supreme Court was compelled to go to the enrollment office to see that he was not enrolled in the District and to carry a statement of this fact to the provost-marshal before he could get permission to leave town! And all this was after the 13th Amendment had been passed and the lawyer himself had been declared a citizen by the Supreme Court of the land! This action on the part of the Washington authorities caused such a wave of indignation among the governmental leaders that two measures were at once introduced in Congress to rectify matters. Gen. Garfield, himself afterwards President, offered a resolution of Inquiry in the lower House as to whether there was any law permitting such treatment of a citizen on account of color, and if so such a law be henceforth prohibited from enforcement; and Senator Henry Wilson of Massachusetts introduced a bill in the Senate almost to the same effect about the same time.

The admission to the bar of the Supreme Court proved to be not only the greatest event in the life of John S. Rock, but also almost the last. The two short years which remained to him after this, like those which, the palmist tells us may, by reason of strength, be added to our allotted threescore and ten," were years of "labor and sorrow". Like the fate which in a few short months from the elevation of our attorney, took off the man whose achievements had made it possible, Rock's end lurked almost in the very shadow of the honor accorded him; for on the Sunday previous to his admission to the bar on Monday, while in attendance at Rev. Henry Highland Garnet's church in Washington, he contracted the cold which finally proved his undoing. From the time of his return home he was more or less indisposed though not always confined to his house. He appeared as usual at the larger gatherings in the interest of his race, but applied himself now more closely to his new profession in his healthy hours, which were not very numerous and continued; for the following notice in the Boston Commonwealth of Dec. 8th, 1866, tells the rest: "John S. Rock Esq., the talented attorney who was presented by Senator Sumner, two years since to the Supreme Court for practice died on Monday last in this city, of consumption. He was skilled in medicine, having practiced in that profession ere embracing the law, and was also a speaker of grace and ability." The exact date of John Swett Rock's death was December 3rd, 1866, and it occurred

at # 33 Phillips St., where he was then residing with his mother and son. He was buried with masonic honors from the 12th Baptist Church, of which the Rev. Leonard Grimes was pastor and of which the deceased had himself long been an active member. Besides the services of the masons of which order he was a prominent member, the Grand United Order of Brothers and Sisters of Love and Charity (then called the Isaac Emery Tabernacle) also performed honors over his bier. This latter order Rock had introduced into Boston from Philadelphia only a few years before his death, and the now flourishing organization with its large membership still honors his name with the John S. Rock Tabernacle in Cambridge, Mass.

The following short inscription copied from a small stone in Woodlawn Cemetery, Boston, closes this chapter:

~~JOHN S. ROCK~~
~~BORN OCT. 13, 1825~~
~~DIED DEC. 3RD, 1865~~

JOHN S. ROCK
BORN OCT. 13, 1825
DIED DEC. 3rd, 1865,

The 1st colored lawyer admitted to
the Bar of the United States Supreme Court
at Washington;

On motion made by Hon. Charles Sumner
Feb. 1st, 1865

It was on a bright morning in early April that we first set eyes on this humble monument. Spring was just beginning to lay her green carpet over the face of the cemetery. The deep Sunday calm which brooded everywhere over the region, broken only here and there by an occasional jest or the ruthless thuds of the pickaxe of those who build houses that last till doomsday, made one just escaping from the feverish surge and roar of the city almost long for "sleep in the dull cold marble" there beside him. As Rock had died in the midst of the turmoil of the Civil War and the worse than turmoil immediately following it but little account was made of his going, and that little soon past from mind in the rapid shift and change of residence which took place among leading colored men when Southern Reconstruction began to open up new opportunities to them. Disappearance of old faces and the coming of new ones was going on so rapidly and unperceptibly that but few noted what was transpiring around them. Our author's memory became almost lost in the new order of things. The surprise then can better be imagined than described which came over us when we first beheld the little stone bearing the name of John S. Rock upon it. Then felt I like some watcher of the skies when a new planet swims into his ken."

*from
art party*

the name of John S. Rock upon it.

" Then felt I like some watcher of the skies
When a new planet swims into his ken."

It is for his achievements as a writer and speaker that John Swett Rock gets a place in this work, and as his merits in these arts have already been spoken of in the several quotations already adduced, we need not detain the readers much longer for what we have to say.